

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 6, 2020

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APPLICATION OF

ACHIEVE ENERGY SOLUTIONS, LLC

CASE NO. PUR-2020-00010

For a license to do business as an
electricity and natural gas aggregator

ORDER FOR NOTICE AND COMMENT

On January 16, 2020, Achieve Energy Solutions, LLC ("Achieve" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for a license to do business as an electricity and natural gas aggregator in the Commonwealth of Virginia. The Company seeks authority to market electricity aggregation services to eligible commercial, industrial, governmental, and residential customers in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia and Appalachian Power Company.¹ The Company also seeks authority to market natural gas aggregation services to the same classes of eligible customers in the service territories of Washington Gas Light Company ("WGL") and Columbia Gas of Virginia.² The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.³

¹ In its Application, Achieve indicated that it wished to provide service to a customer class that it identified as educational. For licensure purposes, publicly owned educational facilities are classified as governmental, and privately held educational facilities would be in a customer class other than governmental depending on the size of the customer.

² In its Application, Achieve indicated that it wished to provide service in the territory of Shenandoah Gas. As a division of WGL, Shenandoah Gas and its service territory are identified as part of WGL.

³ 20 VAC 5-312-10 *et seq.*

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Achieve's Application; Achieve should serve this Order upon the appropriate persons; Commission Staff should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00010.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. A copy of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.
- (4) On or before February 14, 2020, Achieve shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before February 21, 2020, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Paul I. Rhoads, Director of Sales, Achieve Energy Solutions, LLC, 4550 Lena Drive, Suite 201, Mechanicsburg, Pennsylvania 17055. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before February 28, 2020, by either of the following methods. An original and fifteen (15) copies of any comments may be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (5). In the alternative, comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2020-00010.

(8) Commission Staff shall analyze Achieve's Application and shall present its findings in a Staff Report to be filed on or before March 11, 2020.

(9) On or before March 18, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(10) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail as well as by first class

mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Paul I. Rhoads, Director of Sales, Achieve Energy Solutions, LLC, 4550 Lena Drive, Suite 201, Mechanicsburg, Pennsylvania 17055; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424; Craig G. Goodman, President, National Energy Marketers Association, 895 Roberta Lane, Suite 103, Sparks, Nevada 89431; and Irene Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

**Appalachian Power Company
Mr. William A. Castle
Director Regulatory Services
3 James Center
1051 East Cary Street, Suite 702
Richmond, Virginia 23219**

**Dominion Energy Services, Inc.
Paul E. Pfeffer, Esquire
P. O. Box 26532
Richmond, Virginia 23261**

**Columbia Gas of Virginia, Inc.
Brentley K. Archer, President
1809 Coyote Drive
Chester, Virginia 23836-2400**

**Washington Gas Light Company
Adrian P. Chapman, President and CEO
1000 Maine Avenue, SW, Suite 700
Washington, D.C. 20024**